

UNITED STATES DISTRICT COURT
District of Maine

PABLO ACOSTA,)	
)	
Plaintiff,)	
)	
v.)	Civil No. 04-265-P-S
)	NH Civil No. 03-116-GZS
UNITED STATES OF AMERICA,)	
et al.,)	
Defendants)	

ORDER AFFIRMING THE
RECOMMENDED DECISION OF THE MAGISTRATE JUDGE

The United States Magistrate Judge filed with the Court on February 16, 2005, her Recommended Decision (Docket No. 7). Plaintiff filed his Objections to the Recommended Decision (Docket No. 9) on March 3, 2005. Defendants filed their Response (Docket No. 11) to those objections on March 14, 2005.

I have reviewed and considered the Magistrate Judge's Recommended Decision, together with the entire record; I have made a de novo determination of all matters adjudicated by the Magistrate Judge's Recommended Decision; and I concur with the recommendations of the United States Magistrate Judge for the reasons set forth in her Recommended Decision, and determine that no further proceeding is necessary.

1. It is therefore ORDERED that the Recommended Decision of the Magistrate Judge is hereby AFFIRMED.

2. NH Docket No. 17, Motion to Dismiss is GRANTED with prejudice as to all the federal defendants for Acosta's civil rights claims, except the claim that pertains to Dr. Clifford, and all of his claims under the Federal Tort Claims Act. The Motion to Dismiss is GRANTED without prejudice as to Acosta's claims against Dr. Clifford.

/s/ George Z. Singal
Chief U.S. District Judge

Dated this 28th day of March, 2005

PABLO ACOSTA

represented by **ALAN JOEL FINKEL**
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V.

Defendant

UNITED STATES OF AMERICA

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Defendant

**UNITED STATES FEDERAL
MARSHALL**

represented by **T. DAVID PLOURDE**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

**MERRIMACK CITY
CORRECTIONAL FACILITY**

Defendant

**HILLSBOROUGH COUNTY
DEPARTMENT OF
CORRECTIONS**

Defendant

CUMBERLAND COUNTY JAIL

Defendant

**STAFFORD COUNTY HOUSE OF
CORRECTIONS**

Defendant

DOCTOR EDWIN CHARLE

Defendant

**UNIDENTIFIED PHYSICIAN
EMPLOYED BY CUMBERLAND
COUNTY JAIL**

Defendant

FEDERAL BUREAU OF PRISONS

represented by **T. DAVID PLOURDE**
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ATTORNEY TO BE NOTICED

Defendant

DR MARK J GEPPERT

Defendant

FCI RAYBROOK

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ATTORNEY TO BE NOTICED

Defendant

FEDERAL MEDICAL CENTER

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Defendant

CLIFFORD, DR

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Defendant

**DARTMOUTH-HITCHCOCK
MEDICAL CENTER**

Defendant

**UNKNOWN FEDERAL, STATE
OR COUNTY AGENCIES**

Defendant

DR CELIA ENGLANDER

Notice Only Party

**NEW HAMPSHIRE DISTRICT
COURT**

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